

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT DEZELL and DEBORAH
DEZELL, husband and wife,

Plaintiffs,

v.

IDS PROPERTY CASUALTY INSURANCE
COMPANY, a foreign insurer,

Defendant.

CASE NO. 3:21-cv-05687-JHC

ORDER

This matter comes before the Court on the parties' Third Stipulated Motion to Extend Discovery Cutoff. Dkt. # 27.

Trial in this matter is set for June 20, 2023. Dkt. # 18. The current deadline for discovery motions is February 23, 2023. Dkt. # 26. The current discovery cutoff is March 21, 2023. *Id.* The current deadline for dispositive motions is March 22, 2023. Dkt. # 18. The parties ask the Court to extend the discovery motions cutoff to March 23, 2023, and the discovery cutoff to April 21, 2023. Dkt. # 27.

The Court issues scheduling orders setting trial dates and related dates to provide a reasonable schedule for resolving disputes. First, the Court generally sets the discovery motions deadline 30 days before the deadline for discovery to allow the Court to resolve the motions

1 within the discovery period. Second, the Court generally sets the discovery cutoff 30 days
2 before the deadline for filing dispositive motions to ensure that the Court has before it a complete
3 record when it considers a motion that could potentially dispose of the case. Third, the schedule
4 generally provides 90 days between the deadline for filing dispositive motions and the trial date.
5 This 90-day period considers: (a) an approximate 30-day lag between the date a party files a
6 motion and the date that motion becomes ripe for the Court's consideration, *see* Local Rules
7 W.D. Wash. LCR 7(d)(3); and (b) another 30 days during which the Court endeavors to rule on
8 the motion, *id.* LCR 7(b)(5).

9 The Federal Rules of Civil Procedure provide that a schedule may be modified only for
10 good cause and with the judge's consent. Fed. R. Civ. P. 16(b)(4). The Court understands the
11 basis for the parties' request; but the Court is concerned that the proposed extensions may
12 jeopardize the current dispositive motions deadline and the trial date. Notably, the motion states,
13 "The parties are not requesting the trial date be continued *at this time.*" Dkt. # 27. (emphasis
14 added). Accordingly, the Court DENIES the motion without prejudice. The Court is willing to
15 consider a trial continuance that would afford the parties the additional time they seek. If that is
16 of interest, the parties may contact the Court to arrange to a telephonic conference to address the
17 matter.

18 Dated this 13th day of February, 2023.

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21 John H. Chun
22 United States District Judge
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